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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/859,682	05/18/2001	Mark Ashby	032005-097

CONFIRMATION NO. 3365

## FORMALITIES LETTER



\*OC000000007138679\*

Robert E. Krebs  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

Date Mailed: 11/29/2001



## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 11/26/2001 to the Notice to File Missing Parts (Notice) mailed 07/24/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is unsigned.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

Mark ASHBY, et al. )

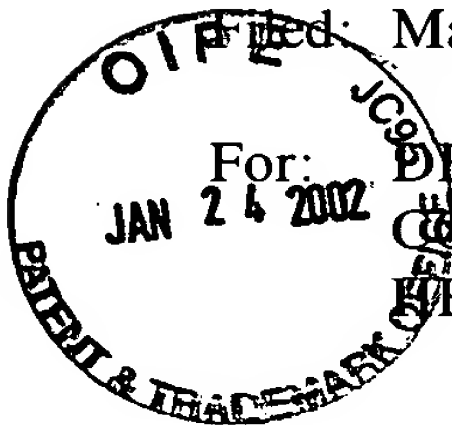
Application No.: 09/859,682 )

Filed: May 18, 2001 )

Group Art Unit: unassigned

Examiner: unassigned

For: DEPTH AND PUNCTURE )  
CONTROL FOR SYSTEM FOR )  
HEMOSTASIS OF BLOOD VESSEL )



**RESPONSE TO NOTICE OF INCOMPLETE REPLY**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants have received and reviewed the Notice of Incomplete Reply issued November 29, 2001, in the above-noted patent application. The Notice indicates the Declaration was unsigned. However, a Declaration signed by all five inventors was filed on November 26, 2001 with the Transmittal Letter for Missing Parts of Application. A duplicate copy of the executed Declaration is attached as well as a copy of the postcard date-stamped November 26, 2001.

Examination and allowance of this application are respectfully requested.

Respectfully submitted,

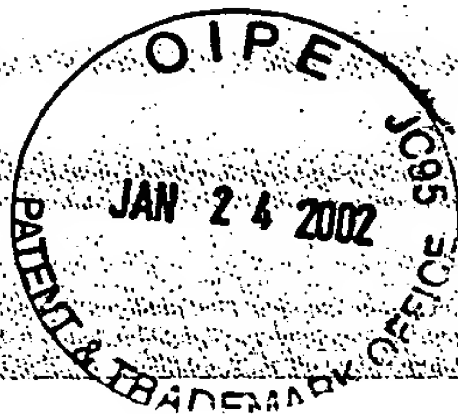
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_

Adam J. Cermak  
Registration No. 40,391

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: January 24, 2002



Inventor: Mark ASHBY, et al.

Appln. No. 09/859,682

Filing Date: May 18, 2001

Docket No.: 032005-097

Work Atty: AJC

Date: November 26, 2001

Ekt. Clerk Initials

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amendment or Response   | <input type="checkbox"/> Certificate Under 37 C.F.R. § 3.73(b)                                      | <input checked="" type="checkbox"/> Check for \$ <u>916.00</u> is enclosed                      |
| <input type="checkbox"/> Preliminary Amendment   | <input checked="" type="checkbox"/> Transmittal Letter for Missing Parts of Application             | <input type="checkbox"/> Check for \$ <u>    </u> is enclosed                                   |
| <input type="checkbox"/> Reply Transmittal Letter  | <input checked="" type="checkbox"/> Executed Declaration/Power of Attorney                          | <input type="checkbox"/> Charge \$ <u>    </u> to Deposit Account                               |
| <input checked="" type="checkbox"/> Petition for <u>2</u> Month Extension of Time  | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)              | <input type="checkbox"/> Issue Fee Transmittal  |
| <input checked="" type="checkbox"/> Submission of Replacement Drawings w/ <u>31</u> sheet(s) of drawings (Fig(s). 1- <u>32</u> ) | <input type="checkbox"/> Claim for Convention Priority w/ <u>    </u> certified copy(s)             | <input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account       |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ <u>    </u> sheet(s) of red ink drawings                     | <input type="checkbox"/> Information Disclosure Statement w/ <u>    </u> document(s)                | <input type="checkbox"/> Request for Refund   |
| <input type="checkbox"/> Notice of Appeal  | <input type="checkbox"/> Information Disclosure Citation (PTO-1449)                                 | <input type="checkbox"/> Status Inquiry   |
| <input type="checkbox"/> Brief for Appellant   | <input type="checkbox"/> Information Disclosure Statement Transmittal Letter                        | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Request for Oral Hearing  | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/copy of Notice | <input type="checkbox"/>  |
| <input type="checkbox"/> Reply Brief   | <input type="checkbox"/> Request for Continued Examination  | <input type="checkbox"/>  |
| <input type="checkbox"/> Response to Restriction Requirement or Election of Species  |   | <input type="checkbox"/>  |
| <input type="checkbox"/> Terminal Disclaimer   |   | <input type="checkbox"/>  |



(10/00)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Mark ASHBY, et al.

Application No.: 09/859,682

Filed: May 18, 2001

For: DEPTH AND PUNCTURE  
CONTROL FOR SYSTEM FOR  
HEMOSTASIS OF BLOOD VESSEL

Group Art Unit: unassigned

Examiner: unassigned



**REQUEST FOR REFUND**

**BOX: MISSING PART**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

It is respectfully requested that the extension fee filed on January 24, 2002, in the amount of \$520.00, be refunded to Applicant and deposited in Deposit Account No. 02-4800. Applicants reply filed November 26, 2001, to the Notice to File Missing Parts dated July 24, 2001, was complete and timely filed, and therefore the Notice of Incomplete Reply was in error. Accordingly, Applicants reply to the Notice of Incomplete Reply, filed herewith, was unnecessary.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_

Adam J. Cermak  
Registration No. 40,391

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: January 24, 2002

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Patent  
Attorney's Docket No. 032005-097

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
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Mark ASHBY, et al. ) Group Art Unit: unassigned  
 )  
Application No.: 09/859,682 ) Examiner: unassigned  
 )  
Filed: May 18, 2001 )  
 )  
For: DEPTH AND PUNCTURE CONTROL )  
FOR SYSTEM FOR HEMOSTASIS OF )  
BLOOD VESSEL )  
 )

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a **Response to Notice of Incomplete Reply** for the above-identified patent application.

☒ A Petition for Extension of Time is also enclosed.

☒ Also enclosed is copy of postcard date-stamped November 26, 2001

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 

Adam J. Cermak  
Registration No. 40,391

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: January 24, 2002